

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

S/O Form PTO-1390 <b>Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371</b>		<i>Attorney's Docket Number</i> SPAN3008/FJD U.S. Application Number (if known) <b>107583354</b>
International Application Number <b>PCT/EP2004/053462</b>	International Filing Date <b>14 Dec. 2004</b>	Priority Date Claimed <b>19 Dec. 2003</b>
Title of Invention <b>Filling level measurement method according to the running time principle</b>		
Applicant(s) for DO/EO/US <b>Dietmar Spanke et al.</b>		
<b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:</b>		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under <b>35 USC 371</b>.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under <b>35 USC 371</b>.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (<b>35 USC 371(f)</b>) at any time rather than delay examination until the expiration of the applicable time limit set in <b>35 USC 371(b)</b> and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed <b>35 USC 371(c)(2)</b>.             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (<b>35 USC 371(c)(2)</b>).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (<b>35 USC 371(c)(3)</b>)             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (<b>35 USC 371(c)(3)</b>).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (<b>35 USC 371(c)(4)</b>). (<input type="checkbox"/> Executed      <input type="checkbox"/> Unexecuted)</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (<b>35 USC 371(c)(5)</b>).</li> </ol>		
<p><b>Items 11 to 16 below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under <b>37 CFR 1.97</b> and <b>1.98</b>.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with <b>37 CFR 3.28</b> and <b>3.31</b> is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under <b>37 CFR 1.76</b>.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input checked="" type="checkbox"/> Priority is claimed for German application no. 103 607 10.2 with a filing date of 19 Dec. 2003</li> <li>18. <input type="checkbox"/> A second copy of the published international application under <b>35 U.S.C. 154(d)(4)</b>.</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under <b>35 U.S.C. 154(d)(4)</b></li> <li>20. <input checked="" type="checkbox"/> Other items or information: <b>a copy of the International Application WO 2005/062001 A1</b></li> </ol>		

Application Number (if Known) <b>10/583554</b>	International Application Number <b>PCT/EP2004/053462</b>	Attorney's Docket Number <b>SPAN3008/FJD</b>	
		Calculations	PTO USE
21. The following fees are submitted:			
<input checked="" type="checkbox"/> a) Basic national fee ..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee ..... \$200.00 <input checked="" type="checkbox"/> c) Search Fee: <input type="checkbox"/> If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0.00 <input type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00 <input checked="" type="checkbox"/> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400.00 <input type="checkbox"/> All other situations ..... \$500.00		\$500.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof.			
Total Sheets	Extra sheets	Number of each additional 50 or fractions thereof (round up to a whole number)	RATE
- 100 =	/50=		x \$250.00
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			
CLAIMS	NUMBER	NUMBER EXTRA	RATE
Total Claims	10	-20 =	x \$50.00
Independent Claims	1	-3 =	x \$200.00
Multiple Dependent Claims (if applicable)			+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS</b>			
<input type="checkbox"/> Reduction by ½ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.			
<b>SUBTOTAL</b>			
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			
<b>TOTAL NATIONAL FEE</b>			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.			
<b>TOTAL FEES ENCLOSED</b>		\$ <b>900.00</b>	
		Amount to be:	Refunded: Charged:

- a.  A check in the amount of \$ 900 to cover the fees is enclosed.  
 b.  Please charge my Deposit Account Number **02-0200** in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
 c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number **02-0200**. A duplicate copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**23364**

Customer Number  
Phone: (703) 683-0500

DATE: June 19, 2006

Respectfully submitted,



Felix J. D'Ambrosio  
Attorney for Applicant  
Registration Number: 25,721